## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION

JOHN ANTHONY CASTRO	)
12 Park Place, Mansfield, TX 76063	)
Plaintiff,	)
v.	)
SECRETARY OF STATE ANDREW WARNER 1900 Kanawha Boulevard E, Charleston, WV 25305	) Case No. 2:23-cv-00598
DONALD JOHN TRUMP 1100 S. Ocean Blvd, Palm Beach, FL 33480	)
Defendants.	)

## **OBJECTION TO**

## U.S. MAGISTRATE'S PROPOSED FINDINGS AND RECOMMENDATIONS

Plaintiff John Anthony Castro, *pro se*, submits this Objection to the U.S. Magistrate's Proposed Findings and Recommendations and states as follows:

Interesting how the U.S. Magistrate claims it is "obvious" that the West Virginia Republican Party ("WVGOP") has an interest in the judicial determination of the qualification of a private citizen who has not yet filed any ballot access documentation in order to grant intervention *yet* does not find that Plaintiff has an interest in preventing ongoing and further political competitive harm that could be remedied with expedited judicial relief.

In his order granting WVGOP intervention, the U.S. Magistrate recognized that both Plaintiff and Defendant Donald John Trump are candidates in every sense of the term. Given that judicial admission, this crystallizes the ongoing harm being suffered by Plaintiff at this moment.

Each day that Defendant Donald John Trump is permitted to continue his charade of purporting to

be an qualified and eligible candidate is harming the National Republican Party, the WVGOP, all

other qualified and eligible candidates, and, most importantly to the judicial discernment of this

Court, Plaintiff.

The U.S. Magistrate's Proposed Findings and Recommendation is that this U.S. District

Court Judge Irene C. Berger allow Plaintiff to continue to be harmed on a daily basis and to permit

Defendant Donald John Trump's persistent and continued assault on American Democracy.

Plaintiff incorporates his Verified Complaint (ECF 1) herein by reference as well as his

Emergency Application For A Temporary Restraining Order And Expedited Preliminary

Injunction Hearing (ECF 9).

REQUESTED RELIEF

For the foregoing reason, Plaintiff objects to the U.S. Magistrate's Proposed Findings and

Recommendations and moves U.S. District Court Judge Irene C. Burger for de novo review of this

matter.

Dated: September 28, 2023.

Respectfully submitted,

By: /s/ John Anthony Castro

John Anthony Castro

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Plaintiff Pro Se

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## **CERTIFICATE OF SERVICE**

On September 28, 2023, I submitted the foregoing document with the Clerk of this Court either by mail, email, or CM/ECF. It is further certified that all other parties will be served via CM/ECF if they are registered users, and, if they are not registered users or have not yet filed a notice of appearance, they will be served by U.S. postal mail.

/s/ John Anthony Castro
John Anthony Castro